

PATENT

Attorney Docket No. D0932-403

REMARKS

Claims 1-35 are pending in this application. Examiner withdrew claims 28-35 from consideration based on Applicant's provisional election made over the phone on November 28, 2005 by Applicant's representative Won Joon Kouh (Reg. No. 42,763). Claims 1-27 are rejected.

Applicant hereby confirms the election to prosecute claims 1-27 and the withdrawn claims 28-35 and claim 17 have been canceled. Independent claim 1 has been amended. After the entry of the amendments submitted herein claims 1-16 and 18-27 remain pending.

Claim Rejection Under 35 U.S.C. § 112

Examiner rejects claim 25 under 35 U.S.C. § 112, second paragraph, as being indefinite because the claim recites that the "core material and said sheath material are same thermoplastic polymer but of different formulations." This rejection is traversed.

As discussed in paragraph [0023] of the originally-filed Specification, for example, claim 25 refers to the fact that the core and the sheath of the bi-component fibers may be made of the same thermoplastic polymer (e.g., being one of polyethylene, polypropylene, polyester or polyimide, etc.) but having different formulations to result in the sheath material having lower melting point than the core material. It would be readily understood by one of ordinary skill in the art that "different formulation" refers to the sheath and the core having different additives to result in different melting points.

Withdrawal of this rejection is kindly requested.

Claim Rejection Under 35 U.S.C. § 102

Examiner rejects claims 1-6, 11-15, 17-23 and 26-27 under 35 U.S.C. § 102(b) as being anticipated by United States published Application No. 2003/0008586 to Kajander *et al.* ("Kajander"). For the reasons provided below this rejection is traversed.

Applicant has amended the independent claim 1 to incorporate the limitations of originally-filed dependent claim 17. Thus, amended claim 1 now require that the "liquid sorbent material comprises 2 to 50 wt. % of said plastic-containing bonding fibers."

In rejecting the originally-filed claim 17 as being anticipated by Kajander, the Examiner cites paragraph [0027] of Kajander as disclosing "plastic-containing fibers make up about 20 weight

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percent [] of the material." (Office action at page 4). This characterization by the Examiner is in error.

A correct reading of paragraph [0027] shows that the 20 weight percent number recited in paragraph [0027] of Kajander refers to the cellulose fiber (*i.e.* wood fiber) content of the fiber content of the nonwoven mat of Kajander and not to the content of the binder material. Paragraph [0027] states that the fiber portion of the nonwoven mat may be made "in ratio of 80 weight percent glass fibers and 20 weight percent cellulose fibers."

In fact, Kajander discloses that the binder "containing essentially free of urea formaldehyde, phenol formaldehyde melamine formaldehyde or furfuryl alcohol formaldehyde resins" is present in very "small amount." (Kajander at paragraph [0008]). Kajander then elaborates that:

[b]y a "small amount" is meant that the binder is no more than about five percent, preferably less than four percent, and most preferably less than three percent of the dry mat and usually is at least 0.3 weight percent, most preferably between about one to three weight percent.

(Kajander at paragraph [0009]). Kajander further states: "[m]ats of the present invention contain preferably 0.75 to less than 3, weight percent binder or binder fiber Binder contents in the dry mat in the range of 2-3 wt. percent are most preferred." (Kajander at paragraph [0018]).

Therefore, Kajander does not disclose the invention as recited in the amended claim 1 because Kajander does not teach or suggest a liquid sorbent material containing 2 to 50 wt. % plastic-containing bonding fibers. Accordingly, the amended claim 1 is patentably distinguishable over Kajander. Withdrawal of the rejection of claim 1 and its allowance are kindly requested.

The remaining pending claims 2-16 and 18-27 depend from amended claim 1 which is allowable over the cited references. Because dependent claims incorporate all limitations of their parent claim, the dependent claims are also allowable over the cited references. Allowance of the dependent claims 2-16 and 18-27 is kindly requested.

Claim Rejections Under 35 U.S.C. § 103

Based on the discussion presented above, the § 103 rejections are moot and need not be discussed.

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Double Patenting

Claims 1-27 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 24-37 of copending application No. 11/067,714 (Publication No. 2005/0170734) and also over claims 24-59 of copending application No. 11/049,692 (Publication No. 2005/0130538).

In response, terminal disclaimers with respect to each of the two copending applications are enclosed herewith along with authorization to pay the appropriate fees.

CONCLUSION

Applicants believe that all rejections have been overcome and the pending claims as amended are in condition for allowance. Reconsideration of the present application, withdrawal of the rejections and allowance of the pending claims are kindly requested. Should Examiner not agree with Applicants' position, then a telephone interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

As shown in the attached Patent Application Fee Determination Record sheet, no additional claim fee is believed due for the filing of this amendment and response.

Respectfully submitted,

Date: 03-13-06



Won Joou Kouh
Reg. No. 42,763
Attorney for Applicant
(610) 861-4925